IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA BEAUFORT DIVISION

Willie J. Harrison,) C.A. No.: 9:06-1296-TLW-GCK
Petitioner,)
VS.	ORDER
Colie L. Rushton, Warden of McCormick Correctional Institution, and Henry McMaster, Attorney General of South Carolina,))))
Respondents.)) _)

This matter is now before the undersigned for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge George C. Kosko, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge Kosko recommends that, at the request of petitioner, this Petition for habeas corpus relief filed on or about May 1, 2006, be dismissed without prejudice, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure. (Doc. # 20). The Report was filed on September 5, 2006. Plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate

¹This Court notes that on September 1, 2006, plaintiff filed a "motion for stipulated dismissal pursuant to Rule 41(a)" in which he indicates that his "earned work credits" have been "corrected," that based on this correction, this action is now "moot," and he moves the Court for a "stipulated dismissal."

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Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in

whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections

have been filed to the Report. In the absence of objections to the Report and Recommendation of

the Magistrate Judge, this Court is not required to give any explanation for adopting the

recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the

applicable law. For the reasons set forth and articulated by the Magistrate Judge, it is hereby

ORDERED that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 20), and this Petition is

dismissed without prejudice and at the request of petitioner, pursuant to Rule 41(a) of Federal Rules

of Civil Procedure.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN

UNITED STATES DISTRICT JUDGE

January 10, 2007

Florence, South Carolina

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